

JOINT STATUS REPORT PURSUANT TO RULE 26 (f)

CAPTION: **Ronald Heneghan vs. Northampton Community College, et al** CASE NO: **09-CV-04979**

BASIS OF JURISDICTION: Federal Question

Jury Trial: X Non-Jury Trial: \_\_\_\_\_ Arbitration: \_\_\_\_\_

Plaintiff's counsel participating in the Rule 16 Conference: **David L. Deratzian, Esquire**<sup>1</sup>

Defendant's counsel participating in the Rule 16 Conference: **John Freund, Esquire**

When did the parties hold the Rule 26 Conference: **3/1/2010**

When did the parties comply with the Rule 26(a)'s duty of self-executing disclosures: **3/12/2010**

Does either side expect to file a case-dispositive motion? Yes (Defendant) (YES/NO)

If yes, specify the rule Defendants have a Motion to Dismiss pending, and advise that they will likely file a Motion for Summary Judgment.

If yes, specify the issue \_\_\_\_\_

Approximate date case should be trial-ready: **February 2011**

Time for Plaintiff's case: **2 days** Time for Defendant's case: \_\_\_\_\_

Is a settlement conference likely to be helpful? Plaintiff's counsel believes so. If so when:

Early Yes (yes/no) After discovery Yes (yes/no)

Have the parties elected to proceed before a U.S. Magistrate Judge for final disposition?

**No** (yes/no)

Plan for Discovery:

1. The parties anticipate that discovery should be completed within **236 days (by November 2, 2010).**
2. What is the minimum amount of time necessary to complete discovery prior to an ADR Session, should one be ordered or agreed to? **Plaintiff's counsel believes that 90 days would be adequate.**
3. Have the parties discussed issues relating to claims of privilege or of protection as trial preparation material, as required by Rule 26 (f) (3) (D)? **yes** (yes/no)

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<sup>1</sup> This document has been prepared by Plaintiff's counsel on the basis of the Rule 26 Conference that was conducted on March 1. Mr. Freund could not be reached for input.

4. Identify any other discovery issues which should be addressed at the Rule 16 Conference, including limitations on discovery, protective Orders needed, or other elements which should be included in a particularized discovery plan. **None at the time**

5. If you contend that the discovery period should exceed ninety days, please state reasons:

**Defense Counsel has indicated that he has 6 week trial that is starting the beginning of May and believes that it will be difficult scheduling depositions of University witnesses during the summer.**

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